

REMARKS

Claims 3, 5-8, 12 and 24-28 are pending. The Applicants thank Examiner Lewis for indicating that this application would likely be in condition for allowance, subject to final review, if the Applicants perfected the deposit requirement. The Applicants now do so below.

Biological Deposit

The Applicants attach herewith a copy of the Certificate for Trust showing the deposit of strain FERM P-18099.

Aureobasidium strain FERM P-18099 was deposited under the terms of the Budapest Treaty. As required by 37 C.F.R. 1.808, subject to the one exception permitted by 37 C.F.R. 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon granting of the patent. See MPEP 2410.01.

CONCLUSION

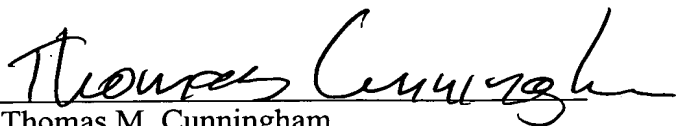
In view of the above remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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受 託 証

通知番号 : 12 生寄文 第 1432 号

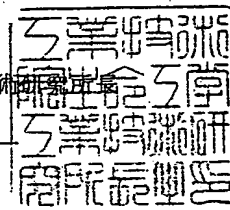
通知年月日 : 平成 12 年 11 月 2 日

藤井 昇

殿

工業技術院生命工学工業技術研究所

大 著 信



1. 微生物の表示

(寄託者が付した識別のための表示)

FO-2000

(受託番号)

FERM P- 18099

2. 科学的性質及び分類学上の位置

1 欄の微生物には、次の事項を記載した文書が添付されていた。

■ 科学的性質

■ 分類学上の位置

3. 受領及び受託

当所は、平成 12 年 11 月 2 日に受領した 1 欄の微生物を受託する。

CERTIFICATE FOR TRUST

No. of notice: 12 Microbe Deposit

Document No. 1432

Date of notice: November 2, 2000

To: Mr. Noboru Fujii

Director of Life Engineering Research Institute,
Agency of Industrial Science and Technology

Shinichi Ohashi

1. Indication of microbe	
(Depositor's indication for discrimination) FO-2000	(Fiduciary No.) FERM P-18099
2. Scientific properties and position in the taxonomy	
To the microbe in column 1, documents described following matters were attached. <ul style="list-style-type: none">■ Scientific properties■ Position in the taxonomy	
3. Receipt and trust	
Our institute is entrusted with the microbe in column 1 received on November 2, 2000.	